

Remarks

Applicant has amended the abstract of the disclosure according to the Examiner's suggestion.

Applicant has amended claim 2 to correct a typographical error. Applicant has further added claims 5 – 8. These claims are similar in language to claims 1 – 4 with the chief difference being that they are characterized from a different perspective than method claims 1 – 4. Applicant requests the Examiner enter new claims 5 – 8 into the application.

Applicant has also submitted an IDS containing industry standards relating to push-to-talk over cellular (PoC) with respect to the present invention. This document has been submitted in response to the cited portions of the Kauppinen reference to help distinguish the present invention from the Kauppinen reference.

The Examiner has rejected claims 1-4 under 35 U.S.C. § 103 as being obvious under U.S. Patent Application Publication 20050135374 to Isomaki et al. ("Isomaki ") in view of U.S. Patent Number 7,085,365 to Kauppinen ("Kauppinen"). One aspect of section 103 requires that every element of Applicant's claim must be found in the combination of the references. The combination of Isomaki and Kauppinen, however, does not disclose every element of Applicant's invention.

In claim 1, the Examiner has conceded that:

Isomaki does not teach activating a silent mode for the mobile terminal that includes sending a message instructing a PTT server to disable the PoC global setting associated with the mobile terminal's PTT server accept list. (Office Action, Page 3, Lines 7-9)

The Examiner cites Column 5, lines 51-57 and Column 6, lines 8-20 of Kauppinen as teaching the missing element of Isomaki. Applicant disagrees that Kauppinen fills the void left by Isomaki.

Kauppinen describes an "in use" feature for a push-to-talk over cellular (PoC) user. On column 6, lines 8-20, Kauppinen's communication system describes an "access list." This cited section merely describes standard processing according to the PoC industry specifications almost verbatim of which applicant is well aware. Kauppinen describes the access list as being "activated or deactivated by setting" the "in use" attribute. If the "in use" attribute is

deactivated, the mobile terminal operations occur according to PoC industry standards. Conversely, if the “in use” attribute is activated, the standard processing (e.g. user screening via access list processing) is deactivated, so that anyone can reach the PoC user without pre-screening. As shown on the industry standard document entitled “List Management and Do-not-Disturb V2.0.6” at page 12, when the access list is not active (i.e. the “in use” attribute is enabled), the mobile terminal must then decide if the answer mode is automatic or manual. This is what Kauppinen is referring to on Column 6, lines 8-20.

In contrast, in claim 1, Applicant claims a method of activating a silent mode for PTT calls using the mobile terminal by “sending a message instructing a PTT server to disable the PoC global setting associated with the mobile terminal’s PTT server accept list.” Disabling the PoC global setting is described in Applicant’s specification at paragraphs [0012] – [0013]; by “disabling the PoC global setting,” the auto-answer mode for those on the access list is changed to a manual answer mode. The industry standard is silent with respect to how this automatic/manual global setting for the access list is set and controlled within the PTT server. The present invention provides a mechanism by which the user can toggle the global setting in the PTT server using his mobile terminal.

This manual answer mode creates a “silent mode” for incoming PTT calls by not allowing the mobile terminal to be automatically connected to another PoC or PTT device. Thus, “silent mode” is enabled after the PTT server has disabled the PoC global setting for the access list, and calls from those on the accept list will be received by the PoC user via manual mode and calls from those not on the accept list will not be received. The accept list is still “in_use” but the automatic/manual answer mode has been forced to manual (which can be set to vibrate to prevent audible interruptions) until deactivated by the user. Thus, Kauppinen’s description of standard “in use” attribute processing is not the same as Applicant’s “silent mode” that involves toggling the global setting associated with the mobile terminal’s PTT server accept list.

Further, Kauppinen does not disclose “sending a message instructing a PTT server to disable the PoC global setting” In fact, Kauppinen does not mention anything about a “PoC global setting associated with the mobile terminal’s PTT server accept list”. This is because Kauppinen describes the `in_use` attribute that controls whether accept list processing is enabled or bypassed. The present invention essentially provides sub-processing within the

accept list processing that is only active when the accept list attribute `in_use` is enabled. Thus, Kauppinen does not disclose how to disable the “PoC global setting associated with the `in_use` attribute”.

Similarly, claims 2-4 and 5-8 either claim steps to activate or de-activate a “silent mode” for PTT calls, requiring either an enablement or disablement of the PoC global setting parameter. Kauppinen does not disclose activation of a “silent mode” as claimed in claims 1, 3, 5, and 7 nor de-activation of the “silent mode” as claimed in claims 2, 4, 6, and 8 in which “silent mode” switches between answering calls on the accept list in manual answer mode or automatic answer mode by enabling or disabling the PoC global setting parameter of the `in_use` attribute.

For the above reasons, the Examiner has failed to show that all steps/elements of the independent claims are present in the art cited. Applicant believes he has responded to all of the concerns raised by the Examiner. Reconsideration of this application as amended is hereby requested.

The Examiner is authorized to charge any fees required and not paid herein, or credit any overpayment to Deposit Account 13-4365.

Respectfully submitted,

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